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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

10 UNITED STATES OF AMERICA,

Plaintiff,

12 | vs.

13 JOSHUA STEPHEN FOX, *et. al.*

Defendants

Case No. 2:18-cr-0382-RFB-VCF

**JOINT STIPULATION TO CONTINUE
SENTENCING HEARING OF
DEFENDANT JOSHUA STEPHEN FOX**

16 Certification: In accordance with Local Criminal Rule 12-1(c), Defendant's counsel certifies
17 that this stipulation is timely filed.

18 Pursuant to Federal Rule of Criminal Procedure 45(b) and this Court's Local Rule of
19 Criminal Practice 45-1, the parties respectfully request that the Court approve this stipulation
20 seeking to extend by one week (or to a date convenient for the Court) the Sentencing Hearing
21 pertaining to Defendant Joshua Stephen Fox currently scheduled for August 22, 2019. See ECF
22 #78. In support of this stipulation, the parties rely upon the following:
23

1. Defendant Fox was named in an Indictment filed with the Court on November 28, 2018. ECF #1.
 2. The United States and Mr. Fox entered into a negotiated plea agreement which was filed with the Court on May 23, 2019. ECF #79.

- 1 3. That same day, May 23, 2019, the Court issued a Notice setting a Sentencing
- 2 Hearing with respect to Mr. Fox's Plea Agreement for August 22, 2019.
- 3 4. Since the Court's May 23, 2019 Notice, undersigned counsel for Defendant met with
- 4 his client to prepare for the upcoming hearing and has been diligently preparing for
- 5 it. However, due to an unexpected family commitment requiring undersigned
- 6 counsel to drive to Reno, Nevada on August 22, 2019 (to help his son relocate), the
- 7 current date for the Sentencing Hearing is inconvenient. Undersigned counsel's co-
- 8 counsel, Paul S. Padda, Esq., will be in Los Angeles, California on another client
- 9 matter and not able to cover the Sentencing Hearing.
- 10 5. Based upon undersigned counsel's good relationship with his client and the desire to
- 11 provide him with the proper representation at his Sentencing Hearing, he is filing
- 12 this stipulation seeking the Court's approval to continue the hearing to August 29,
- 13 2019 or a date thereafter that is convenient for the Court.
- 14 6. Undersigned counsel has communicated regarding this matter with government
- 15 counsel, Assistant United States Attorney Allison Reese, Esq., who has indicated she
- 16 has no opposition to a one-week continuance.
- 17 7. Mr. Fox will not be prejudiced by a short continuance of his Sentencing Hearing as
- 18 he is currently in custody at the Southern Nevada Detention Center and has agreed,
- 19 pursuant to the negotiated Plea Agreement filed with the Court on May 23, 2019, to
- 20 an additional period of custody to following the entry of judgment in this case.
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1 For the reasons set forth herein, the parties respectfully request that the Court approve
2 this stipulation for a continuance of the Sentencing Hearing currently scheduled for August 22,
3 2019.

4 Respectfully submitted,

5 */s/ Allison Reese*

6 */s/ Tony Abbatangelo*

7 Allison Reese, Esq.
8 Assistant United States Attorney
9 Counsel for the United States

10 Tony Abbatangelo, Esq.

11 Counsel for Joshua Stephen Fox

12 Dated: August 20, 2019

13 Dated: August 20, 2019

14 **IT IS ORDERED:**

15 For good cause, the Court hereby approves the
16 parties' joint stipulation seeking to continue the
17 Sentencing Hearing currently scheduled for
18 August 22, 2019. Defendant Joshua Stephen
19 Fox's sentencing hearing is rescheduled to the
20 following date and time:

21 Date: September 3, 2019

22 Time: 11:00 AM



23 **RICHARD F. BOUWLARE, II**
24 **UNITED STATES DISTRICT JUDGE**
25 **DATED: August 21, 2019**

26 **CERTIFICATE OF SERVICE**

27 The undersigned hereby certifies that on this day, August 20, 2019, a true and correct
28 copy of the foregoing document was served by e-service via the Court's electronic service
29 system (CM/ECF Pacer) upon all registered participants.



Arelice Parra, Paralegal